

Panaji, 9th February, 2017 (Magha 20, 1938)

SERIES I No. 45

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 44 dated 2-2-2017, namely, Extraordinary dated 6-2-2017 from pages 1897 to 1898 regarding Tariff Order— Not. No. 120/03/JERC-FPPCA/CEE/Tech from Department of Power (Office of the Chief Electrical Engineer).

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GOVERNMENT OF GOA

Department of Information and Publicity

Notification

DI/RTI/BILL/PT-05/5048

In exercise of the powers conferred by sub-section (4) of section 24 of the Right to Information Act, 2005 (Central Act 22 of 2005) and in supersession of the Government Notification No. DI/RTI/BILL/PT/05/7867 dated 30-1-2009, published in the Official Gazette, Series I No. 48, dated 26-2-2009 and the Government Notification No. DI/INF/RTI-Notif./2011/1720 dated 13-7-2012, published in the Official Gazette, Series II No. 22, dated 1-9-2016, the Government of Goa hereby specifies the following intelligence and security organizations of the Goa Police Department, Panaji, for the purpose of the

said sub-section (4) of section 24 of the said Act, namely:—

(1) Special Branch (CID), Police Department, Goa.

(2) Anti-Narcotic Cell, Police Department, Goa.

(3) Communication Unit (Police Wireless) consisting of operational, technical and cipher Division, Police Department, Goa.

(4) Anti-Terrorism Squad (ATS), Police Department, Goa.

This Notification shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

Jayant Tari, Director & ex officio Joint Secretary (Information and Publicity).

Panaji, 7th February, 2017.

Department of Law & Judiciary

Legal Affairs Division

Notification

10/4/2016-LA

The Child Labour (Prohibition and Regulation) Amendment Act, 2016 (Central Act No. 35 of 2016), which has been passed by Parliament and assented to by the President on 29-07-2016 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 30-07-2016, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 4th November, 2016.

THE CHILD LABOUR (PROHIBITION
AND REGULATION) AMENDMENT
ACT, 2016

AN

ACT

*further to amend the Child Labour
(Prohibition and Regulation) Act, 1986.*

Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Child Labour (Prohibition and Regulation) Amendment Act, 2016.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of long title.*— In the Child Labour (Prohibition and Regulation) Act, 1986 (hereinafter referred to as the principal Act), for the long title, the following shall be substituted, namely:—

“An Act to prohibit the engagement of children in all occupations and to prohibit the engagement of adolescents in hazardous occupations and processes and the matters connected therewith or incidental thereto.”.

3. *Amendment of short title.*— In section 1 of the principal Act, in sub-section (1), for the words, brackets and figures “the Child Labour (Prohibition and Regulation) Act, 1986”, the words, brackets and figures “the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986” shall be substituted.

4. *Amendment of section 2.*— In section 2 of the principal Act,—

(a) clause (i) shall be renumbered as clause (ia) thereof and before clause (ia) as so renumbered, the following clause shall be inserted, namely:—

‘(i) “adolescent” means a person who has completed his fourteenth year of age but has not completed his eighteenth year;’;

(b) for clause (ii), the following clause shall be substituted, namely:—

‘(ii) “child” means a person who has not completed his fourteenth year of age or such age as may be specified in the Right of Children to Free and Compulsory Education Act, 2009, whichever is more;’.

5. *Substitution of new section for section 3.*— For section 3 of the principal Act, the following section shall be substituted, namely:—

“3. *Prohibition of employment of children in any occupation and process.*— (1) No child shall be employed or permitted to work in any occupation or process.

(2) Nothing in sub-section (1) shall apply where the child,—

(a) helps his family or family enterprise, which is other than any hazardous

occupations or processes set forth in the Schedule, after his school hours or during vacations;

(b) works as an artist in an audio-visual entertainment industry, including advertisement, films, television serials or any such other entertainment or sports activities except the circus, subject to such conditions and safety measures, as may be prescribed:

Provided that no such work under this clause shall effect the school education of the child.

Explanation.— For the purposes of this section, the expression,

(a) “family” in relation to a child, means his mother, father, brother, sister and father’s sister and brother and mother’s sister and brother;

(b) “family enterprise” means any work, profession, manufacture or business which is performed by the members of the family with the engagement of other persons;

(c) “artist” means a child who performs or practices any work as a hobby or profession directly involving him as an actor, singer, sports person or in such other activity as may be prescribed relating to the entertainment or sports activities falling under clause (b) of sub-section (2).”.

6. *Insertion of new section 3A.*— After section 3 of the principal Act, the following section shall be inserted, namely:—

3A. *Prohibition of employment of adolescents in certain hazardous occupations and processes.*— No adolescent shall be employed or permitted to work in any of the hazardous occupations or processes set forth in the Schedule:

Provided that the Central Government may, by notification, specify the nature of the non-hazardous work to which an adolescent may be permitted to work under this Act.”.

7. *Amendment of section 4.*— In section 4 of the principal Act, for the words “add any occupation or process to the Schedule”, the words “add to, or, omit from, the Schedule any hazardous occupation or process” shall be substituted.

8. *Amendment of section 5.*— In section 5 of the principal Act,—

(i) in the marginal heading, for the words “Child Labour Technical Advisory Committee”, the words “Technical Advisory Committee” shall be substituted;

(ii) in sub-section (1), for the words “Child Labour Technical Advisory Committee”, the words “Technical Advisory Committee” shall be substituted.

9. *Amendment of Part III.*— In the heading of Part III of the principal Act, for “CHILDREN” substitute “ADOLESCENTS.”.

10. *Amendment of section 6.*— In section 6 of the principal Act, for the word and figure “section 3”, the word, figure and letter “section 3A” shall be substituted.

11. *Amendment of section 7.*— In section 7 of the principal Act, for the word “child”, wherever it occurs, the word “adolescent” shall be substituted.

12. *Amendment of section 8.*— In section 8 of the principal Act, for the word “child”, the word “adolescent” shall be substituted.

13. *Amendment of section 9.*— In section 9 of the principal Act, for the word “child”, at both the places, where it occurs, the word “adolescent” shall be substituted.

14. *Amendment of section 10.*— In section 10 of the principal Act, for the word “child”, at both the places, where it occurs, the word “adolescent” shall be substituted.

15. *Amendment of section 11.*— In section 11 of the principal Act,—

(a) for the word “children”, the word “adolescent” shall be substituted.

(b) for the word “child”, wherever it occurs the word “adolescent” shall be substituted.

16. *Amendment of section 12.*— In section 12 of the principal Act,—

(a) in the marginal heading, for the words and figures “sections 3 and 14” the words, figures and letter “section 3A and 14” shall be substituted;

(b) for the words and figures “sections 3 and 14”, the words, figures and letter “sections 3A and 14” shall be substituted;

17. *Amendment of section 13.*— In section 13 of the principal Act, for the word “children”, wherever it occurs, the word “adolescent” shall be substituted.

18. *Amendment of section 14.*— In section 14 of the principal Act,—

(a) for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) Whoever employs any child or permits any child to work in contravention of the provisions of section 3 shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years, or with fine which shall not be less than twenty thousand rupees but which may extend to fifty thousand rupees, or with both:

Provided that the parents or guardians of such children shall not be punished unless they permit such child for commercial purposes in contravention of the provisions of section 3.

(1A) Whoever employs any adolescent or permits any adolescent to work in contravention of the provisions of section 3A shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years or with fine which shall not

be less than twenty thousand rupees but which may extend to fifty thousand rupees, or with both:

Provided that the parents or guardians of such adolescent shall not be punished unless they permit such adolescent to work in contravention of the provisions of section 3A.

(1B) Notwithstanding anything contained in sub-sections (1) and (1A) the parents or guardians of any child or adolescent referred to in section 3 or section 3A, shall not be liable for punishment, in case of the first offence.”.

(b) for sub-section (2), the following sub-sections shall be substituted, namely:—

“(2) Whoever, having been convicted of an offence under section 3 or section 3A commits a like offence afterwards, he shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to three years.

(2A) Notwithstanding anything contained in sub-section (2), the parents or guardian having been convicted of an offence under section 3 or section 3A, commits a like offence afterwards, he shall be punishable with a fine which may extend to ten thousand rupees.”.

(c) clauses (a), (b) and (c) of sub-section (3) shall be omitted.

19. *Insertion of new sections 14A, 14B, 14C and 14D.*— After section 14 of the principal Act, the following sections shall be inserted, namely:—

“14A. *Offences to be Cognizable.*— Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence committed by an employer and punishable under section 3 or section 3A shall be cognizable.

2 of 1974.

14B. *Child and Adolescent Labour Rehabilitation Fund.*— (1) The appropriate Government shall constitute a Fund in every district or for two or more districts to be called the Child and Adolescent Labour Rehabilitation Fund to which the amount of the fine realized from the employer of the child and adolescent, within the jurisdiction of such district or districts, shall be credited.

(2) The appropriate Government shall credit an amount of fifteen thousand rupees to the Fund for each child or adolescent for whom the fine amount has been credited under sub-section (1).

(3) The amount credited to the Fund under sub-section (1) and (2) shall be deposited in such banks or invested in such manner, as the appropriate Government may decide.

(4) The amount deposited or invested, as the case may be under sub-section (3), and the interest accrued on it, shall be paid to the child or adolescent in whose favour such amount is credited, in such manner as may be prescribed.

Explanation.— For the purposes of appropriate Government, the Central Government shall include the Administrator or the Lieutenant Governor of a Union territory under article 239A of the Constitution.

14C. *Rehabilitation of rescued child or adolescent.*— The child or adolescent, who is employed in contravention of the provisions of this Act and rescued, shall be rehabilitated in accordance with the laws for the time being in force.

14D. *Compounding of offences.*— (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the District Magistrate may, on the application of the accused person, compound any offence committed for the first

time by him, under sub-section (3) of section 14 or any offence committed by an accused person being parent or a guardian, in such manner and on payment of such amount to the appropriate Government, as may be prescribed.

(2) If the accused fails to pay such amount for composition of the offence, then, the proceedings shall be continued against such person in accordance with the provisions of this Act.

(3) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.

(4) Where the composition of any offence is made after the institution of any prosecution, such composition shall be brought in writing, to the notice of the Court in which the prosecution is pending and on the approval of the composition of the offence being given, the person against whom the offence is so compounded, shall be discharged.”.

20. *Insertion of new sections 17A and 17B.*— After section 17, the following sections shall be inserted, namely:—

“17A. *District Magistrate to implement the provisions.*— The appropriate Government may confer such powers and impose such duties on a District Magistrate as may be necessary, to ensure that the provisions of this Act are properly carried out and the District Magistrate may specify the officer, subordinate to him, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed and the local limits within which such powers or duties shall be carried out by the officer as may be prescribed.

17B. *Inspection and monitoring.*— The appropriate Government shall make or cause to be made periodic inspection of the places at which the employment of children is prohibited and hazardous occupations or processes are carried out at such intervals as it thinks fit, and monitor the issues, relating to the provisions of this Act.”.

21. *Amendment of section 18.*— In section 18 of the principal Act, in sub-section (2),—

(i) clause (a) shall be relettered as clause (b) thereof and before clause (b), as so relettered, the following clause shall be inserted, namely:—

(a) the conditions and the safety measures under clause (b) of sub-section (2) and other activities under clause (b) to *Explanation* of sub-section (2) of section 3;

(ii) in clause (b), as so relettered, for the words “Child Labour Technical Advisory Committee”, the words “Technical Advisory Committee” shall be substituted.

(iii) clauses (b), (c) and (d) shall be relettered as clauses (c), (d) and (e) thereof and in clause (c) as so relettered, for the word “child”, the word “adolescent” shall be substituted;

(iv) after clause (e), as so relettered, the following clauses shall be inserted, namely:—

“(f) the manner of payment of amount to the child or adolescent under sub-section (4) of section 14B;

(g) the manner of composition of the offence and payment of amount to the appropriate Government under sub-section (1) of section section 14D;

(h) the powers to be exercised and the duties to be performed by the officer specified and the local limits within which such powers or duties shall be carried out under section 17A.”.

22. *Substitution of new Schedule for the Schedule.*— In the principal Act, for the Schedule, the following Schedule shall be substituted, namely:—

‘THE SCHEDULE

(See section 3A)

- (1) Mines;
- (2) Inflammable substances or explosives.
- (3) Hazardous process.

Explanation.— For the purposes of this Schedule, “hazardous process” has the meaning assigned to it in clause (cb) of the Factories Act, 1948.’. 63 of 1948.

Notification

10/4/2016-LA

The Appropriation (No. 3) Act, 2016 (Central Act No. 46 of 2016), which has been passed by Parliament and assented to by the President on 28-08-2016 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 29-08-2016, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 4th November, 2016.

THE APPROPRIATION (No. 3) ACT, 2016

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2016-17.

Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Appropriation (No. 3) Act, 2016.

2. *Issue of Rs. 103013,74,00,000 out of the Consolidated Fund of India for the financial year 2016-17.*— From and out of the

Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of one lakh three thousand thirteen crore and seventy-four lakh rupees towards defraying the several charges which will come in the course of payment during the financial year

2016-17 in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3		
		Rs.	Rs.	Rs.
1	Department of Agriculture, Co-operation and Farmers Welfare Revenue	1400,02,00,000	....	1400,02,00,000
2	Department of Agricultural Research and Education Revenue	1,00,000	....	1,00,000
3	Department of Animal Husbandry, Dairying and Fisheries Revenue	100,02,00,000	....	100,02,00,000
	Capital	1,00,000	....	1,00,000
5	Ministry of Ayurveda, Yoga and Natu- ropathy, Unani, Siddha and Homoeo- pathy (AYUSH) Revenue	1,00,000	....	1,00,000
6	Department of Chemicals and Petro- chemicals Revenue	1,00,000	....	1,00,000
7	Department of Fertilizers Revenue	1,00,000	....	1,00,000
9	Ministry of Civil Aviation Revenue	1,00,000	....	1,00,000
11	Department of Commerce Revenue	....	2,72,00,000	2,72,00,000
12	Department of Industrial Policy and Promotion Revenue	11,15,00,000	....	11,15,00,000
13	Department of Posts Capital	150,00,00,000	....	150,00,00,000
14	Department of Telecommunications... Revenue	2000,00,00,000	....	2000,00,00,000
	Capital	500,00,00,000	....	500,00,00,000
15	Department of Electronics and Infor- mation Technology Revenue	180,00,00,000	....	180,00,00,000
	Capital	110,00,00,000	....	110,00,00,000
16	Department of Consumer Affairs Revenue	580,02,00,000	....	580,02,00,000
17	Department of Food and Public Distribution Revenue	27,57,00,000	....	27,57,00,000
	Capital	40550,00,00,000	....	40550,00,00,000
18	Ministry of Corporate Affairs Revenue	55,85,00,000	....	55,85,00,000
19	Ministry of Culture Revenue	2,00,000	....	2,00,000
	Capital	1,00,000	....	1,00,000
20	Ministry of Defence (Misc.) Revenue	1,00,000	....	1,00,000
28	Ministry of External Affairs Revenue	600,00,00,000	....	600,00,00,000

1	2	3
29	Department of Economic Affairs Revenue	60,02,00,000
	Capital	1672,18,00,000
32	Transfers to States Revenue	4000,00,00,000
	Capital	3000,00,00,000
34	Department of Expenditure Revenue	50,00,00,000
37	Department of Revenue Revenue	38,00,00,000
38	Direct Taxes Revenue	100,00,00,000
42	Department of Health and Family Welfare Revenue	400,06,00,000
	Capital	2,00,000
44	Department of Heavy Industry Revenue	467,07,00,000
48	Police Revenue	25,01,00,000
50	Ministry of Housing and Urban Poverty Alleviation Revenue	1,00,000
51	Department of School Education and Literacy Revenue	4,00,000
52	Department of Higher Education Revenue	100,02,00,000
54	Ministry of Labour and Employment .. Revenue	1,00,000
	Capital	1,10,00,000
58	Ministry of Micro, Small and Medium Enterprises Revenue	2,00,000
60	Ministry of Minority Affairs Revenue	1,00,000
61	Ministry of New and Renewable Energy Revenue	1,00,000
64	Ministry of Personnel, Public Grievances and Pensions Revenue	1,00,000
66	Ministry of Petroleum and Natural Gas Capital	1000,00,00,000
68	Ministry of Power Revenue	1,00,000
74	Ministry of Road Transport and Highways Revenue	1,00,000
	Capital	31972,68,00,000
75	Department of Rural Development Revenue	10000,00,00,000
	Capital	1,00,00,000
76	Department of Land Resources Revenue	1,00,000
77	Department of Science and Technology Revenue	1,00,000
81	Ministry of Skill Development and Entrepreneurship Revenue	2,00,000
82	Department of Social Justice and Empowerment Revenue	2,00,000
84	Department of Space Capital	300,00,00,000
85	Ministry of Statistics and Programme Implementation Revenue	1,00,000
87	Ministry of Textiles Revenue	550,01,00,000
	Capital	98,10,00,000

1	2	3		
89	Ministry of Tribal Affairs	Revenue	2,00,000	1,00,000
93	Daman and Diu	Revenue	1,00,000	....
		Capital	3,00,000	....
94	Lakshadweep	Capital	2,00,000	17,00,00,000
95	Ministry of Urban Development	Revenue	314,04,00,000	....
		Capital	2120,00,00,000	....
96	Ministry of Water Resources, River Development and Ganga Rejuvenation	Revenue	18,00,00,000	1,80,00,000
		Capital	25,00,00,000	....
97	Ministry of Women and Child Development	Revenue	200,03,00,000	....
98	Ministry of Youth Affairs and Sports...	Revenue	214,85,00,000	....
TOTAL:			99992,21,00,000	3021,53,00,000 103013,74,00,000

Notification

10/4/2016-LA

The Institutes of Technology (Amendment) Act, 2016 (Central Act No. 41 of 2016), which has been passed by Parliament and assented to by the President on 09-08-2016 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 10-8-2016, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 4th November, 2016.

THE INSTITUTES OF TECHNOLOGY
(AMENDMENT) ACT, 2016

AN

ACT

further to amend the Institutes of Technology Act, 1961.

Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Institutes of Technology (Amendment) Act, 2016.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In the Institutes of Technology Act, 1961 ^{59 of 1961.} (hereinafter referred to as the principal Act), in section 2, for the words and brackets “and the Indian Institute of Technology (Banaras Hindu University), Varanasi”, the words and Brackets “the Indian Institute of Technology (Banaras Hindu University), Varanasi, the Indian Institute of Technology, Tirupati, the Indian Institute of Technology, Palakhad, the Indian Institute of Technology, Goa, the Indian Institute of Technology, Dharwad, the Indian Institute of Technology, Bhilai, the Indian Institute of Technology, Jammu and the Indian Institute of Technology (Indian School of Mines), Dhanbad” shall be substituted.

3. *Amendment of section 3.*— In section 3 of the principal Act,—

(A) in clause (c), after sub-clause (xiii), the following sub-clauses shall be inserted, namely:—

“(xiv) in relation to the society known as the Indian Institute of Technology, Tirupati, the Indian Institute of Technology, Tirupati;

(xv) in relation to the society known as the Indian Institute of Technology, Palakkad, the Indian Institute of Technology, Palakkad;

(xvi) in relation to the society known as the Indian Institute of Technology, Goa, the Indian Institute of Technology, Goa;

(xvii) in relation to the society known as the Indian Institute of Technology, Dharwar, the Indian Institute of Technology, Dharwad;

(xviii) in relation to the society known as the Indian Institute of Technology, Bhilai, the Indian Institute of Technology, Bhilai;

(xix) in relation to the society known as the Indian Institute of Technology, Jammu, the Indian Institute of Technology, Jammu;

(xx) in relation to the society known as the Indian School of Mines, Dhanbad, the Indian Institute of Technology (Indian School of Mines), Dhanbad.”;

(B) after clause (ga), the following clause shall be inserted, namely:—

“(gb) “Indian School of Mines, Dhanbad” means the society known as the Indian School of Mines, Dhanbad;”;

(C) in clause (j), after sub-clause (xi), the following sub-clauses shall be inserted, namely:—

“(xii) the Indian Institute of Technology, Tirupati;

(xiii) the Indian Institute of Technology, Palakkad;

(xiv) the Indian Institute of Technology, Goa;

(xv) the Indian Institute of Technology, Dharwad;

(xvi) the Indian Institute of Technology, Bhilai;

(xvii) the Indian Institute of Technology, Jammu;

(xviii) the Indian School of Mines, Dhanbad;”.

4. *Amendment of section 4.*— In section 4 of the principal Act, after sub-section (1D), the following sub-section shall be inserted, namely:—

“(1E) The Indian School of Mines, Dhanbad shall, on such incorporation, be called the Indian Institute of Technology (Indian School of Mines), Dhanbad.”.

5. *Amendment of section 5.*— In section 5 of the principal Act, after *Explanation 2*, the following *Explanation* shall be inserted, namely:—

“*Explanation 3.*— The reference in this section to the commencement of this Act shall be construed in relation to the Indian Institute of Technology, Tirupati, the Indian Institute of Technology, Palakkad, the Indian Institute of Technology, Goa, the Indian Institute of Technology, Dharwad, the Indian Institute of Technology, Bhilai, the Indian Institute of Technology, Jammu, and the Indian Institute of Technology (Indian School of Mines) Dhanbad, as the reference to the date on which the provisions of the Institutes of Technology (Amendment) Act, 2016 comes into force.”.

6. *Amendment of section 38.*—In section 38 of the principal Act,—

(j) after clause (o), the following clauses shall be inserted, namely:—

“(p) until the first Statutes and Ordinances in relation to the Indian Institute of Technology, Tirupati, the Indian Institute of Technology, Palakkad, the Indian Institute of Technology, Goa, the Indian Institute of Technology, Dharward, the Indian Institute of Technology, Bhilai, the Indian Institute of Technology, Jammu, are made under this Act, the Statutes and Ordinances of such Institutes, as in force immediately before the commencement of the Institutes of Technology (Amendment) Act, 2016, shall apply to those Institutes with necessary modifications and adaptations in so far as they are not inconsistent with the provisions of this Act;

(q) the Executive Board, referred to in Rule 7 of the Rules and Regulations of the Indian School of Mines, Dhanbad, functioning as such immediately before the commencement of the Institutes of Technology (Amendment) Act, 2016, shall continue to so function until a new Board is constituted for the Indian Institute of Technology (Indian School of Mines), Dhanbad, under this Act, but on the constitution of a new Board under this Act, the Executive Board of the Indian School of Mines, Dhanbad shall cease to function so far as the Indian Institute of Technology (Indian School of Mines), Dhanbad is concerned;

(r) the Academic Council, referred to in Rule 9 of the Rules and Regulations of the Indian School of Mines, Dhanbad, functioning as such immediately before the commencement of the Institutes of Technology (Amendment) Act, 2016 shall continue to so function until a new Senate is constituted for the Indian Institute of Technology (Indian School of Mines), Dhanbad under this Act, but on the constitution of a new Senate under this Act, the Academic Council of the Indian School of Mines, Dhanbad shall

cease to function so far as the Indian Institute of Technology (Indian School of Mines), Dhanbad;

(s) until the first Statutes and the Ordinances in relation to the Indian Institute of Technology (Indian School of Mines), Dhanbad are made under this Act, the Statutes and Ordinances as are applicable to the Indian Institute of Technology, Roorkee immediately before the commencement of the Institutes of Technology (Amendment) Act, 2016, shall apply to the Indian Institute of Technology (Indian School of Mines), Dhanbad, with the necessary modifications and adaptations in so far as they are not inconsistent with the provisions of this Act;

(t) notwithstanding anything contained in the Institutes of Technology (Amendment) Act, 2016, any student who joined classes of the Indian School of Mines, Dhanbad on or after the commencement of 2015-2016 academic session or completed the courses on or after 2015-2016 academic session shall for the purpose of clause (b) of sub-section (1) of section 6, be deemed to have pursued a course of study in the Indian Institute of Technology (Indian School of Mines), Dhanbad provided that such student has not already been awarded degree or diploma for the same course of study;

(u) if any difficulty arises in giving effect to the provisions of the Institutes of Technology (Amendment) Act, 2016, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this clause after the expiry of two years from the commencement of the

Institutes of Technology (Amendment)
Act, 2016:

Provided further that every order made under this clause shall be laid, as soon as may be after it is made, before each House of Parliament.”;

(b) after *Explanation* 3, the following *Explanation* shall be inserted, namely:—

“*Explanation* 4.— The reference in clauses (q), (r) and (s) of this section to the commencement of this Act shall be construed in relation to the Indian Institute of Technology (Indian School of Mines), Dhanbad, as the reference to the date on which the provisions of the Institutes of Technology (Amendment) Act, 2016 come into force.”.

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